

Clark County Planning Commission
CLARK COUNTY, NEVADA

NELSON STONE
Chair
STEVE KIRK
Vice-Chair
DUY NGUYEN
EDWARD FRASIER III
JENNA WALTHO
TIMOTHY CASTELLO
VIVIAN KILARSKI

NANCY A. AMUNDSEN
Executive Secretary

OPENING CEREMONIES

CALL TO ORDER

The regular meeting of the Clark County Planning Commission was called to order by Chair Nelson Stone on Tuesday, January 18, 2022, at 7:00 p.m. in the Commission Chambers, Clark County Government Center, 500 South Grand Central Parkway, Las Vegas, Nevada. On roll call, the following members were present, constituting a quorum of the members thereof:

CHAIR AND COMMISSIONERS:

Nelson Stone
Steve Kirk
Timothy Castello
Edward Frasier III
Vivian Kilarski
Duy Nguyen
Jenna Waltho

Also present:

Robert Warhola, Deputy District Attorney
Sami Real, Planning Manager
Al Laird, Principal Planner
James McFarland, Administrative Secretary
JaWaan Dodson, Assistant Manager, Public Works – Development Review
Jason Allswang, Senior Plan Checker, Public Works – Development Review

PLEDGE OF ALLEGIANCE

1. Public Comments.

At this time Chair Nelson Stone asked if there were any persons in the audience wishing to be heard on any items on the agenda as posted.

SPEAKER(S): None

There being no persons present in the audience wishing to be heard on any items on the agenda as posted, Chair Nelson Stone closed the public comments.

2. Approval of the Agenda After Considering Requests to Add, Hold, or Delete Items. (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk and carried unanimously that the Agenda for January 18, 2022 be approved with the following changes:

Item #8 - UC-21-0675 - Withdrawn.

Item #24 - WS-21-0648 - Held until 02/01/22 per the applicant.

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

3. Approval of minutes. (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the Planning Commission Meeting Minutes for December 21, 2021 and the Briefing Meeting Minutes for December 21, 2021 and January 4, 2022 be approved as submitted by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

ROUTINE ACTION ITEMS

Mr. Al Laird, Principal Planner, presented the Routine Action Items and stated items #4 through #20 will be taken in one vote, except item #8 was withdrawn and item #6 was heard separately.

ACTION: It was moved by Vice-Chair Steve Kirk that the Routine Action Items be Approved, incorporating the staff recommendations and the added conditions for each application type (specific vote and conditions are outlined under each agenda item).

4. ET-21-400177 (WS-19-0656)-TIRL GEORGE & MARTINA:

WAIVERS OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME for the following:

1) reduce setbacks; 2) allow an accessory structure not architecturally compatible with the principal building; 3) increase the number of driveways to two; and 4) reduce distance from curb return in conjunction with a single family residence on 0.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the south side of Vista Largo Drive, the west side of Calle De Benito, 560 feet east of Sandhill Road within Paradise. TS/jgh/jo (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- **Until October 1, 2022 to complete the building permit and inspection process with any extension of time to be a public hearing.**
- **Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.**

Public Works - Development Review

- **Compliance with previous conditions.**

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 1 card

OPPOSITION RECEIVED: 1 card

5. **UC-21-0634-SPEEDWAY COMMERCE CENTER, LLC:**

AMENDED HOLDOVER USE PERMITS for the following: 1) minor training facility (no longer needed); 2) medium manufacturing (previously not notified); and 3) major training facility (previously not notified) within an existing office/warehouse complex on a portion of 97.7 acres in an M-1 (Light Manufacturing) (AE-70 & AE-75) Zone. Generally located on the east side of Hollywood Boulevard and the south side of Centennial Parkway (alignment) within Sunrise Manor. MK/sd/jo (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised that this request does not include the retail sales of ammunition; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Building Department - Fire Prevention

- Applicant is advised that operational permits may be required for this facility and to contact Fire Prevention for further information at (702) 455-7316.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TOWNBOARD RECOMMENDATIONS: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: NA

6. UC-21-0636-APEX LAS VEGAS, LLC:

HOLDOVER USE PERMIT for a multiple family residential development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; 2) nonstandard landscaping; and 3) alternative standards for perimeter fence.

DESIGN REVIEW for the conversion of a motel to a multiple family residential development on 5.2 acres in an H-1 (Limited Resort and Hotel) (AE-60) Zone. Generally located on the south side of Twain Avenue and the west side of Cambridge Street within Paradise. TS/ja/jo (For possible action)

STAFF RECOMMENDATION: Al Laird, Principal Planner, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and there were no other speakers present.

ACTION: It was moved by Commissioner Vivian Kilarski that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- 6 months to commence with any extension of time to be a public hearing;
- 1 year to review as a public hearing, applicant to provide a status report to address progress to correct all safety issues identified by the Clark County Fire Department, Clark County Building Department, Clark County Code Enforcement, and to secure all units that are not in use;
- Containers shall be removed prior to zoning approval of a business license or a building permit;
- Parking stalls shall be striped prior to zoning approval of a business license or issuance of a building permit;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a change of occupancy permit may be required by the Clark County Building Department, and if so, the change must be approved by the Building Department prior to zoning approval of the business license; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

Department of Aviation

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Building Department - Fire Prevention

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system;

and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: NA

NOTE: This item was head separately from the Routine Action Agenda.

7. UC-21-0673-PECOS ROAD NV, LLC:

USE PERMIT for personal services (tanning salon) within an existing commercial and industrial complex on 0.8 acres in an M-D (Designed Manufacturing) (AE-70) Zone. Generally located on the east side of Pecos Road, 570 feet south of Post Road within Paradise. JG/nr/jo (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Department of Aviation

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: NA

8. UC-21-0675-MCKAY, KELLENE & FLETCHER JACK WILLIAM:

USE PERMIT to allow an on-site employee who is not a family member in conjunction with an existing home occupation within an existing single family residence on 0.4 acres in an R-E (Rural Estates Residential) Zone. Generally located on the east side of Burnham Avenue and the north side of

Robindale Road within Paradise. MN/jor/jo (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Withdrawn, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

NOTE: This item was Withdrawn during the approval of the agenda.

9. UC-21-0681-RENO JONES, LLC:

USE PERMIT for a hospital (surgical recovery center) within an existing office building on 2.0 acres in a C-1 (Local Business) Zone. Generally located on the northeast corner of Jones Boulevard and Reno Avenue within Spring Valley. MN/al/jo (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

**CONDITIONS OF APPROVAL -
Current Planning**

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: NA

10. UC-21-0682-M D PROPERTIES, LLC & D P DRIFTWOOD, LLC:

USE PERMIT for personal services (barber shop) within an industrial complex on a portion of 9.4 acres in an M-1 (Light Manufacturing) Zone. Generally located on the west side of Dean Martin Drive and the north side of Ali Baba Lane within Paradise. MN/jgh/jo (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 1 card

OPPOSITION RECEIVED: NA

11. **UC-21-0685-NEVADA SUNSET MANagements, LLC:**

USE PERMIT for personal services (beauty salon) within a portion of an existing office complex on 1.4 acres in a C-P (Office and Professional) (AE-60 & AE-65) Zone. Generally located on the south side of Sunset Road, 335 feet east of Pecos Road within Paradise. JG/md/jo (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Department of Aviation

- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998; and that funds will not be available in the future should the owners wish to have their buildings purchased or soundproofed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 1 card

OPPOSITION RECEIVED: NA

12. UC-21-0691-DEAN, DAVID & SARAH:

USE PERMIT to allow an accessory use (horses and shade structure) prior to the principal use (dwelling) on 1.0 acre in an R-E (Residential Estates) (RNP-I) Zone. Generally located on the east side of Schuster Street, 150 feet south of Mardon Avenue within Enterprise. MN/jvm/jo (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study shall be required with future development as determined by Public Works - Development Review;
- 6 months to submit vacation application for patent easements;
- Building permit for the principal structure shall not be issued until the patent easement vacation is recordable.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property appears to have an existing septic system; to contact the Southern Nevada Health District with regard to modifying existing plumbing fixtures; that location of existing public sanitary sewer is greater than 400 feet from the parcel; and that upon approval of change in use of the property and if connecting to public sanitary sewer, CCWRD requires submittal of civil improvement plans and estimated wastewater flow rates to determine sewer point of connection.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 1 letter

OPPOSITION RECEIVED: NA

13. UC-21-0692-SKYBELL, LLC:

USE PERMIT for a communication tower and associated equipment.

DESIGN REVIEW for a communication tower and associated equipment on 2.5 acres in an R-E (Rural Estates Residential) Zone and an M-1 (Light Manufacturing) Zone in the Adult Use Overlay District. Generally located on the south side of Hacienda Avenue, 286 feet west of Polaris Avenue within Paradise. MN/jvm/jo (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Applicant is advised that a bond (or other guarantee per Table 30.44) is required prior to the construction of the tower; that this approval also includes all future antennas proposed in conjunction with this tower, provided all future antennas are determined to not be visually obtrusive to this area; that in order to construct this tower, building permits must be obtained for this tower prior to building permits being issued for any other communication tower within a radius of 600 feet otherwise additional land use applications may be required; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 2 cards

OPPOSITION RECEIVED: NA

14. VS-21-0581-ARIA RESORT & CASINO HOLDINGS, LLC:
HOLDOVER VACATE AND ABANDON easements of interest to Clark County located between Harmon Avenue and Park Avenue and between Frank Sinatra Drive and Las Vegas Boulevard South within Paradise (description on file). JG/jgh/jd (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Grant a new pedestrian access easement;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 1 card

OPPOSITION RECEIVED: NA

15. **VS-21-0687-COLEN SHELDON & SOTO ANGELA:**

VACATE AND ABANDON easements of interest to Clark County located between Tamarus Street (alignment) and Spencer Street and between Pebble Road and Ford Avenue within Paradise (description on file). MN/sd/jo (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: 1 card

16. **VS-21-0689-4520 ARVILLE & MCKINLEY MANOR:**

VACATE AND ABANDON a portion of a right-of-way being Harmon Avenue located between Arville Street and Wynn Road within Paradise (description on file). MN/jt/jo (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Revise legal description, if necessary, prior to recording.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: NA

17. **VS-21-0690-COUNTY OF CLARK:**

VACATE AND ABANDON a portion of a right-of-way being Harmon Avenue located between Arville Street and Wynn Road within Paradise (description on file). MN/jt/jo (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Revise legal description, if necessary, prior to recording.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 1 card

OPPOSITION RECEIVED: NA

18. VS-21-0693-LV PECOS ROAD LP:

VACATE AND ABANDON easement of interest to Clark County located between Patrick Lane and Post Road and between Pecos Road and Pearl Street (alignment) within Paradise (description on file). JG/nr/jo (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Grant new easements;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: NA

19. **WS-21-0697-LIVERMORE DAVID LEROY & HOPP DORINDA SUE:**

WAIVER OF DEVELOPMENT STANDARDS to reduce the separation between a principal structure and a proposed accessory structure on 0.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone. Generally located on the west side of Mustang Street and the north side of Hermes Stables Court within Lone Mountain. MK/jvm/jo (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

Current Planning

- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 1 card, 1 letter

OPPOSITION RECEIVED: NA

20. **NZC-21-0678-JEAN DEVELOPMENT WEST:**

ZONE CHANGE to reclassify 143.0 acres from an R-U (Rural Open Land) Zone, a C-2 (General Commercial) Zone, an H-1 (Limited Resort and Apartment) Zone, and a P-F (Public Facility) Zone to an M-D (Designed Manufacturing) Zone for future warehouse development.

DESIGN REVIEW for a conceptual distribution center. Generally located on the north and south sides of

State Route 161 (alignment) and the east and west sides of I-15 within South County (description on file). JJ/MN/jt/jo (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL - FORWARDED TO THE 02/16/22 BCC MEETING.

Current Planning

- Resolution of Intent to complete in 3 years;
- Design review as a public hearing for final plans;
- Expunge the portion of NZC-20-0324 on the subject site.
- Applicant is advised that the resort hotel will not be able to operate in the M-D zone and the H-1 zoning and Gaming Enterprise District would need to be reestablished for any future unrestricted gaming operations; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works - Development Review

- Drainage study shall be required with future development as determined by Public Works - Development Review;
- Traffic study shall be required with future development as determined by Public Works - Development Review;
- Full off-site improvements shall be required with future development as determined by Public Works - Development Review;
- Right-of-way dedication and/or grant easements for Las Vegas Boulevard South to accommodate a proportionate share of a 200 foot wide right-of-way;
- Applicant to perform and have recorded a Record of Survey to determine underlying title rights in relationship to "as built" improvements on Las Vegas Boulevard South;
- Plans must comply with all Regional Transportation Commission Uniform Standard Drawings and Clark County.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, when final development proposals are submitted;
- Applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code when final development proposals are submitted;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA;
- Developer to thoroughly establish an existing condition analysis to determine what currently drains underneath Prison Road and the delta increase from site development, note there is an existing airport access road that connects to Prison Road and provides access to the east side of the airfield, this access road is used extensively by CCDOA for glider operations, there is an existing culvert crossing underneath the access road that crosses the wash, and the development must not negatively impact the existing CCDOA access road and culvert crossing;
- Developer to mitigate increased flows on private property so as to not impact the airfield south of Prison Road; if on-site detention is selected, then the facility must drain within 48 hours, so it is not a wildlife attractant upstream of an airport environment;

- All flood control facilities constructed by the Developer are to be located within their development site; facilities and grading are not allowed on CCDOA property;
- Discharge velocities onto CCDOA property must match existing conditions or be less, it is not acceptable for high velocities to be point concentrated on CCDOA property, note: in the existing condition, CCDOA staff has observed extensive erosion on the south side of Prison Road, on both the west and east sides of the package treatment plant, this indicates that the flow splits around the treatment plant berm;
- Need assurances from the Developer or Clark County Regional Flood Control District (RFCD) that flood control facilities will be properly maintained or repaired upstream after large storm events; especially if energy dissipation consists solely of grouted rip rap that may be washed away over time;
- As part of its proposed project and at its sole expense, Developer shall demolish the CCDOA Lot improvements on 217-14-601-002, stabilize the soil, and install 6 foot tall chain link fencing with one, 24 foot wide double swing gate in conformance with the chain link fence specification provided by CCDOA, afterwards, Developer shall have no further use or access to the CCDOA Lot;
- CCDOA would like to work with the Developer regarding the project schedules, project needs, and conceptual plans to maintain proposed ground transportation options and preserve access to and from the SNSA as well as ensure the success of both projects;
- Design reviews, as public hearings, required on each of the buildings prior to permitting and construction commencing.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0349-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TOWNBOARD RECOMMENDATION: NA

SUPPORT RECEIVED: 3 cards

OPPOSITION RECEIVED: 1 card

NON-ROUTINE ACTION ITEMS

21. UC-21-0567-DIAMANTE CANYON, LLC:

HOLDOVER USE PERMITS for the following: 1) convenience store; 2) gasoline station; 3) vehicle wash; and 4) restaurant.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) setbacks; 2) alternative parking lot landscaping; 3) reduce width of landscape finger islands; 4) height setback ratio; 5) talk box location; 6) throat depth; 7) approach distance; and 8) departure distance.

DESIGN REVIEWS for the following: 1) convenience store; 2) restaurant; 3) vehicle wash; and 4) gasoline station on 2.6 acres in an H-2 (General Highway) Zone. Generally located on the southwest corner of Blue Diamond Road and Grand Canyon Drive within Enterprise. JJ/sd/jo (For possible action)

STAFF RECOMMENDATION: Al Laird, Principal Planner, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and provided changes to the staff report as agreed upon with staff, and there were no other speakers present.

ACTION: It was moved by Commissioner Duy Nguyen that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Off-site improvements along Blue Diamond Road to be coordinated with Nevada Department of Transportation (NDOT), and applicant to provide an approved NDOT encroachment permit to Public Works Development Review Division;
- Right-of-way dedication to include 35 feet to back of curb for Grand Canyon Drive, 30 feet for Oleta Avenue, and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0373-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #5 WAS WITHDRAWN WITHOUT PREJUDICE.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: 1 card

22. UC-21-0657-RENEGADES MINES PARTNERS, LLC:
HOLDOVER USE PERMIT for a heliport.
WAIVER OF DEVELOPMENT STANDARDS for landscaping and screening.
DESIGN REVIEWS for the following: 1) a heliport; and 2) final grading plan for a Hillside Development on 10.7 acres in an R-U (Rural Open Land) Zone. Generally located 1.4 miles east of US Highway 95 and 1.7 miles north of Cottonwood Cove Road within Searchlight. MN/al/jo (For possible action)

STAFF RECOMMENDATION: Al Laird, Principal Planner, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and there were 2 speakers in opposition.

ACTION: It was moved by Commissioner Jenna Waltho that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL - FORWARDED TO THE 02/02/22 BCC MEETING.

Current Planning

- The proposed heliport is for private use only and not to be used for any commercial activities.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Department of Aviation

- Applicant may be required to file Federal Aviation Administration (FAA) Form 7480-1, "Notice of Landing Area Proposal" with the FAA, per 14 CFR Part 157;
- Applicant must comply with all heliport planning report requirements described in Table 30.44-1 "Heliport" of the Code.
- Applicant is advised that all helicopter noise complaints and inquiries regarding operations from this facility will be forwarded to the operator of this heliport.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that there are no public sanitary sewer facilities available within the proposed development and none are planned within the next 5 years.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: NA

OPPOSITION RECEIVED: NA

23. **UC-21-0686-CENTRO EVANGELISTICO PALABRA:**

USE PERMIT for a school on a portion of a previously approved place of worship.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce parking; and 2) driveway geometrics.

DESIGN REVIEW for a school in conjunction with a place of worship on 4.2 acres in an R-1 (Single Family Residential) Zone. Generally located on the west side of Mojave Road and the north side Emerson Avenue within Paradise. TS/sd/jo (For possible action)

STAFF RECOMMENDATION: Al Laird, Principal Planner, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and there was 1 speaker who was neutral.

ACTION: It was moved by Commissioner Vivian Kilarski that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- 1 year to review as a public hearing for traffic;
- Approval is for a maximum use of 4 years with any extension of time to be a public hearing.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Traffic study and compliance;
- Vacate any unnecessary easements.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 1 letter

OPPOSITION RECEIVED: 4 cards

24. WS-21-0648-AMH NV8 DEVELOPMENT, LLC:
HOLDOVER WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks in conjunction with a single family residential development on 0.2 acres in an R-2 (Medium Density Residential) Zone. Generally located approximately 100 feet north of Oleta Avenue and 175 feet east of Hualapai Way within Enterprise. JJ/nr/jo (For possible action)

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Held until February 1, 2022, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

NOTE: This item was Held during the approval of the agenda.

25. WS-21-0696-LEGACY KIMBERLY, LLC:
WAIVER OF DEVELOPMENT STANDARDS for alternative landscaping for an approved congregate care facility.
DESIGN REVIEW for a congregate care facility on 4.8 acres in an M-D (Designed Manufacturing) Zone. Generally located on the south side of Kimberly Avenue and the west side of Broadbent Boulevard within Whitney. JG/jvm/jo (For possible action)

STAFF RECOMMENDATION: Al Laird, Principal Planner, presented the application and stated the conditions are as listed on the agenda. The applicant spoke on the matter and there were no other speakers present.

ACTION: It was moved by Vice-Chair Steve Kirk that the application be Approved, subject to the conditions as listed below, by the following vote:

VOTING AYE: Nelson Stone, Steve Kirk, Timothy Castello, Edward Frasier III, Vivian Kilarski, Duy Nguyen, and Jenna Waltho

VOTING NAY: None

ABSENT: None

ABSTAIN: None

CONDITIONS OF APPROVAL -

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 10 additional feet for Kimberly Avenue, 10 additional feet for Greyhound Lane and associated spandrels.

TOWNBOARD RECOMMENDATION: Approval

SUPPORT RECEIVED: 1 card, 1 letter

OPPOSITION RECEIVED: NA

ORDINANCE

26. ORD-21-900826: Review an ordinance modifying Title 30 to allow an alternative housing option in specific multiple family zoning districts. (For possible action)

STAFF RECOMMENDATION: Al Laird, Principal Planner, presented the application and requested the Planning Commission review the ordinance modifying Title 30 to allow an alternative housing option in specific multiple family zoning districts. Sami Real, Planning Manager, answered questions presented by the board and there was 1 speaker present with concerns about the lack of specifications within the ordinance.

NOTE: This item was REVIEWED and will be FORWARDED to the 02/02/22 BCC meeting.

PUBLIC COMMENTS

Comments by the General Public regarding any items not listed on the agenda as posted. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a future agenda.

At this time Chair Nelson Stone asked if there were any persons in the audience wishing to be heard.

SPEAKER(S): None

There being no persons present in the audience wishing to be heard on any items on the agenda as posted, Chair Nelson Stone closed the public comments.

There being no further business to come before the board at this time, at the hour of 8:34 p.m., the meeting was adjourned.

ATTEST:

/s/ Nancy A. Amundsen
NANCY A. AMUNDSEN
Executive Secretary to the
Planning Commission